

Amendment No. 13 to HB0995

**Stewart
Signature of Sponsor**

AMEND Senate Bill No. 1171

House Bill No. 995*

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 39-17-1311, is amended by adding the following as a new, appropriately designated subsection:

There shall be a rebuttable presumption that a person who, while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway, or other similar public place, including any buildings located within or on those areas, that is owned or operated by the state, a county, a municipality, or instrumentality thereof, without just cause draws or discharges a firearm in the presence of and within the line of sight of children shall be civilly liable for assault to each child within the line of sight, whether or not the child witnessed the firearm or discharge. In addition to all other damages for which said person shall be liable for said assault, he or she shall be liable for statutory damages of five thousand dollars (\$5,000) to each child who establishes a claim of assault by virtue of a violation of this subsection. It shall not be a defense that a person, without just cause, withdrew or discharged the firearm accidentally or otherwise without intent.